

SUBCHAPTER NN—DEEPWATER PORTS

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APPENDIX A TO PART 148—ENVIRONMENTAL REVIEW CRITERIA FOR DEEPWATER PORTS

AUTHORITY: Secs. 5(a), 5(b), Pub. L. 93-627, 88 Stat. 2131 (33 U.S.C. 1504(a), (b)); 49 CFR 1.46(s).

SOURCE: CGD 75-002, 40 FR 52553, Nov. 10, 1975, unless otherwise noted.

Subpart A—General

§ 148.1 Purpose.

This subchapter prescribes regulations for the licensing, construction, design and equipment, and operation of deep-water ports.

§ 148.3 Definitions.

The terms listed in sections 3 and 18 of the Act, whenever used in Parts 148, 149 and 150, have the same meaning they have in the Act, except as provided in this section for "Affiliate."

Act means the Deepwater Port Act of 1974.

Affiliate means each person:

(1) Having any direct or indirect ownership interest in the applicant of greater than three percent;

(2) With whom the applicant has made, or proposes to make, a significant contract for financing, managing or otherwise participating in the construction or operation of the deepwater port proposed to be licensed;

(3) Who owns or controls any person who is an affiliate by operation of paragraphs (a) or (b) of this definition, or who owns or controls the applicant;

(4) Owned or controlled by or under common ownership or control with an applicant or any person who is an affiliate by operation of paragraphs (a), (b) or (c) of this definition; or

(5) Who is determined by the Secretary to have information required to review or process the application.

Barrel means 42 U.S. gallons at atmospheric pressure and 60° Fahrenheit.

Captain of the Port means a Coast Guard Officer commanding a Captain of the Port Area described in Part 3 of this chapter.

Crude oil means a mixture of hydrocarbons that exist in the liquid phase in natural underground reservoirs and remains liquid at atmospheric pressure after passing through surface separating facilities and includes:

(1) Liquids technically defined as crude oil;

(2) Small amounts of hydrocarbons that exist in the gaseous phase in natural underground reservoirs but are liquid at atmospheric pressure after being recovered from oil well (casing head) gas in lease separators; and

(3) Small amounts of non-hydrocarbons produced with the oil.

Deepwater port means any fixed or floating manmade structures other than a vessel, or any group of such structures, located beyond the territorial sea and off the coast of the United States and which are used or intended for use as a port or terminal for

the loading or unloading and further handling of oil for transportation to any State, except as otherwise provided in section 23 of the Act. The term includes all associated components and equipment, including pipelines, pumping stations, service platforms, mooring buoys, and similar appurtenances to the extent they are located seaward of the high water mark.

Gross under keel clearance means the distance between the keel of a tanker and the ocean bottom when the tanker is moored or anchored in calm water free of wind, wave, current, or tide conditions that would induce ship motion.

Marine site means the area in which the deepwater is located, and includes the safety zone, attendant ships' routing measures, anchorages and all areas seaward of the high water mark in which associated components and equipment of the deepwater port are located.

Miles means nautical miles.

Net under keel clearance means that distance between the ocean bottom and the portion of a tanker's hull closest to the ocean bottom when the tanker is underway, moored or anchored, considering ship motion in responding to the combination of actual wind, wave, tide, and current conditions.

PAD District means one of the five Petroleum Administration for Defense Districts defined by the Bureau of Mines, Department of the Interior.

Platform means a fixed structure which rests on or is embedded in the sea-bed that has floors or decks in which an activity or specific function may be carried out.

Production District means a State and each district within the State of Louisiana, New Mexico or Texas for which production of crude petroleum is separately reported by the Bureau of Mines, Department of the Interior.

Pumping platform complex (PPC) means a single platform or a series of interconnected platforms that have one or more of the following capabilities:

(1) Pumping oil between a vessel and the shore.

(2) Berthing and messing facilities for assigned personnel.

(3) Landing area for helicopters.

(4) Mooring and loading for small vessels.